

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

EDWIN DEE DENNIS, JR.,

Plaintiff,

v.

**LEE COUNTY JAIL
ADMINISTRATION, et al.,**

Defendants.

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Civil Action No. 3:05-cv-653-WHA-SRW

DEFENDANTS' SECOND MOTION FOR EXTENSION OF TIME

COME NOW the Defendant designated by Plaintiff as "Lee County Jail Administrations," Major Cary Torbert, Jr., James Eason, Mental Health Officer, and Sergeant Tommy Threat, Defendants in the above-styled cause, and move this Honorable Court for a second extension of time in which to file their Special Report and Answer which was due to be filed on September 19, 2005. As grounds for said motion, Defendants state as follows:

1. The gathering of information with which to formulate the Special Report has taken longer than expected. Counsel for Defendants has been out of town until recently and has only recently met with all the Defendants for the purpose of ascertaining the facts of the case and obtaining the documents located at the Lee County Sheriff's Department relevant to Plaintiff's allegations. In addition, it may be necessary to obtain additional documents relating to the Plaintiff's incarceration made the basis of his Complaint.

2. Defendants are in need of this additional time to fully respond to the Plaintiff's allegations.

3. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendants respectfully request this Honorable Court grant their Second Motion for Extension of Time to file their Special Report and Answer up to and including September 23, 2005.

Respectfully submitted this 20th day of September, 2005.

s/Kelly Gallops Davidson

KELLY GALLOPS DAVIDSON Bar No. DAV123

Attorney for Defendants

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CERTIFICATE OF SERVICE

I hereby certify that on this the 20th day of September, 2005, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Edwin Dee Dennis, Jr.

AIS # 210963

Lee County Detention Center

P.O. Box 2407

Opelika, AL 36801

s/Kelly Gallops Davidson
OF COUNSEL